

From: Simon & Louise Boothroyd, 710 98th Ave NE, Bellevue, WA 98004

Attn:

- PlanningCommission@BellevueWA.gov
- Council@BellevueWA.gov
- Bellevue Planning Department

CC: LochlevenWA@gmail.com

Regarding:

- Project # 21-120635-AC" - 115 100th Ave - "*Chimneys Condo*"
- Personal comments and opposition to the Application to Amend the Comprehensive Plan
- February 14th City Council agenda

Dear Bellevue City Council and Planning Commission:

We reside in the Lochleven neighborhood at the address shown below. The Lochleven neighborhood includes the Chimneys Condominium site that was destroyed in a 2016 fire and has remained undemolished and vacant since the fire.

We understand this CPA was introduced last month to the Planning Commission and is on the February 14th City Council agenda.

The Important Character of Lochleven

As you may be aware, Lochleven is a quiet residential community of single-family homes, multi-unit apartments, condos, and townhouses. We find that it is a safe and generally quiet community, with low levels of vehicle traffic on our streets, making it safe for children to play and people to walk on our sidewalks and streets.

We want to retain this nature of the community. It is near the businesses along NE 8th, Bellevue Way and across downtown Bellevue and environs, and we frequently visit and do business there.

We also greatly value the zoned separation between commercial and residential. This zoning directly supports the safety and quiet that we enjoy and value.

We also greatly value the character of Lochleven's current and uniform building height and residential feel and character, and hope that it remains like this. As older properties are replaced with new, this character remains residential with typically no more traffic, and so is just as safe and quiet.

The Development Site

We do not believe that a zoning change is not necessary for the “Chimneys Condo” property to be successfully redeveloped. We believe that the existing zoning is appropriate and works for our neighborhood.

Increasing the height of the buildings in our community could directly support the construction of even taller buildings across Lochleven. This would drastically and irrevocably change the feel of the neighborhood.

We believe that the current 30’ height limit works well as shown by Bellevue Boys and Girls Club, and Park West project at 371 100th next door, all done under existing zoning.

As you consider the application to amend zoning for the Chimneys Condo site, it is also important to consider the limited vehicle access to the site because of its immediate proximity to a shared driveway with the townhouse and Bellevue Boys and Girls Club to its north.

There is also restricted parking in this area, which helps to keep the neighborhood safe and maintain its residential character. Allowing a tall hotel with retail activity will block the sun and will undoubtedly bring unwanted traffic and parking to NE 99th and NE 1st and will adversely impact the safety of our community.

Additionally

We do not believe that converting low rise residential to higher rise mixed retail / commercial in any way helps create more residential housing stock. Not least because we understand that this development could include the addition of hotel facilities. And affordable housing will certainly not be part of that proposed development's objective.

There are already a plethora of hotels and eateries across Bellevue, and more of either seems counterintuitive given the reduction in business travel – for the long term or forever – and each new eatery or hotel facility further reduces custom for others.

For these reasons, we oppose the development of a taller building with first floor retail space for the Chimneys Condo Site. We ask that the current zoning of the site be retained.

Thank you for your consideration of this email.

2 adults in our home at: 710 98th Ave NE, Bellevue, WA 98004

Sincerely,

Simon P. Boothroyd, Louise T. Boothroyd
simon@boothroyd.com, louise@boothroyd.com

From: Craig Spiezle <craigsp@lochlevenwa.org>
Sent: Wednesday, January 26, 2022 9:25 AM
To: Zahn, Janice
Cc: Nesse, Katherine; Johnson, Thara
Subject: Comprehensive Plan Amendment - Project Name: 115 100th Ave (the "Property") File # 21-120635-AC
Attachments: LochlevenResponse21-120635AC.pdf

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Council Member Zahn,

I am submitting this letter on behalf of the Lochleven Community Association (LCA). This letter is being submitted in advance of the February 14, 2022 City Council meeting where this privately initiated Comprehensive Plan Amendment (CPA) is slated to be introduced. If approved the CPA as submitted would revise the zoning designation from Multifamily R-30 to Neighborhood Mixed Use (NMU). This CPA will increase the permitted height to 45 feet and be subject to a threshold review of other similar properties in the neighborhood.

For the record LCA opposes this CPA in its entirety and we encourage the Council, Planning Commission and Planning Department to deny it. If approved the CPA would revise the zoning designation from the existing Multifamily R-30 to Neighborhood Mixed Use (NMU), and increase the permitted height to 45 feet and be subject to a threshold review of other similar properties in the neighborhood. It is our assessment that the CPA will not provide any public benefit, will not enhance the public health, safety, and welfare of the Lochleven neighborhood and will not advance the interests and needs of the city at-large. Subsequently based on the rezone decision criteria outlined in LUC 20.30A.140, this CPA should be denied. As outlined in the attached letter it is our assessment the CPA conflicts 100% of the relevant policies within Comprehensive Plan for Northwest Bellevue you recently approved.

Upon your availability, the Board and members of LCA would welcome the opportunity to meet for coffee and walk the neighborhood to discuss this CPA. This would be a great opportunity for the community to meet with you and discuss how we can work together to help strengthen our sense of community and protect our great communities.

Craig Spiezle
President, Lochleven Community Association
<https://LochlevenWA.org>
425-985-1421



<https://LochlevenWA.org>



Submitted via email

January 26, 2022

Bellevue City Council
City of Bellevue Planning Commission
City of Bellevue Planning Department
450 110th Avenue NE
Bellevue, WA 98004

Project Name: 115 100th Ave (the "Property") File # 21-120635-AC
Applicant: Ben Wei, WYMOND Investment LLC (Applicant)

I am submitting this letter on behalf of the Board and members of the Lochleven Community Association (LCA). This letter is being submitted in advance of the February 14, 2022 City Council meeting where this privately initiated Comprehensive Plan Amendment (CPA) is slated to be introduced. If approved the CPA as submitted would revise the zoning designation from Multifamily R-30 to Neighborhood Mixed Use (NMU). This CPA will increase the permitted height to 45 feet and be subject to a threshold review of other similar properties in the neighborhood. For the record LCA opposes this CPA in its entirety and we encourage the Council, Planning Commission and Planning Department to deny it.

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As Council considers this CPA, we ask you to consider these fundamental questions. If you answer no to any, we believe Council should deny this CPA.

1. Do the benefits of the CPA override the vision and goals of the NW Bellevue Neighborhood Plan including the negative impact to the goals of "a sense of place and sense of community"?
2. Does diminishing and moving the boundary between the Downtown and the Lochleven neighborhood justify an intrusion into the long-established transition buffer of 100th Ave. NE?
3. Does the need to add hotel rooms and or commercial space which will eliminate up to twenty-one residential units outweigh the goal of maintaining housing stock adjacent to downtown?
4. Does the Lochleven neighborhood need retail/commercial space when there are existing vacancies within a 3-minute walk of the subject area?
5. Does the CPA justify creating non-residential parking and traffic issues around the Downtown Park including potential pedestrian safety issues at the Boys & Girls Club, which shares a driveway?
6. Does expanding the CPA from a "spot re-zone" through a threshold review, justify diminishing the unique nature of Lochleven and its' defined "sense of place" as recognized in the Comprehensive Plan for Northwest Bellevue?

In considering the CPA we would like to point out what we believe are two incorrect statements in the CPA application. The applicant asserts the CPA would enhance the Grand Connection which runs through the middle of Downtown Park along 103rd Avenue and Main Street to Meydenbauer Park. This statement is incorrect. The Property is two blocks away from Grand Connection pathway and is not contiguous to it. As such the CPA has no public benefit or relevancy to the Grand Connection.

The Applicant states the Property has been vacant since it was destroyed by fire in 2016 and suggests rezoning is therefore necessary for the redevelopment. This is incorrect. More accurately several issues including multiple lawsuits between the condominium owners, the condominium association and the insurance company have no doubt delayed development. Further negating this argument, the Applicant purchased the property on December 14, 2021, subject to current zoning, paying over \$15 million to the previous owner. If the current zoning limits its development, one must ask why a developer would pay such a premium.

As outlined above we believe the only answer is to deny this application and maintain existing residential zoning. Doing so helps protect and strengthen the great neighborhoods we live in and the integrity of the Comprehensive Plan for Northwest Bellevue. For additional context to this letter, refer to LCA's previous communications submitted and posted at <https://www.lochlevenwa.org/chimney-rezone>.



Craig Spiegle

craigsp@LochlevenWA.org

On Behalf of the Lochleven Community Association

<https://LochlevenWA.org>

Exhibit A

Review of the CPA and the impact to NW Bellevue Comprehensive Plan

Areas of Conflict with Policies Referenced in CPA Application

S-NW-1 - Protect and enhance the existing distinctions between land uses throughout the Neighborhood Area through the use of transition areas between higher-intensity use districts and lower-intensity use districts as well as encouraging design features such as landscape buffers. This CPA would compromise and diminish the existing distinctions of current land use within the comprehensive plan. The CPA fails to provide any public benefit or address needs of the city at-large.

S-NW-2 - Promote transition areas when areas adjacent to a lower intensity land use district are rezoned, and encourage the integration of pedestrian traffic into the neighborhood structure. The parcel in the CPA is not adjacent to low intensity land use, it is within a current lower density area. Rather than increase pedestrian traffic the CPA will likely increase vehicle traffic and parking congestion in the existing Restricted parking Zone, (RPZ 9). The neighborhood lacks continuous sidewalks and increased pedestrian traffic in the streets creates a public safety risk. There is no benefit from a rezone, and no need for a transition area. The CPA fails to provide any public benefit or address needs of the city at-large.

S-NW-6 - Encourage new development to maintain and enhance the neighborhood character of the individual sub-neighborhood. The CPA conflicts with the policy by introducing commercial development into a residential neighborhood and will degrade the neighborhood character and sense of community and negatively impact existing home values. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-11 - Collaborate with neighboring jurisdictions to promote a consistent experience when crossing jurisdictional boundaries. The CPA rezone asserts that there is a benefit in the rezone. There is no jurisdictional boundary involved in this request. Jurisdictional boundaries to NW Bellevue pertain to adjacent cities/towns such as Medina, Clyde Hill and/or Kirkland. This statement is inaccurate, the CPA fails to provide any public benefit nor address the needs of the city at-large.

S-NW-12 - Support efforts to create gathering opportunities, bringing together residents from different sub-neighborhoods, cultures, ages, or backgrounds. The CPA overstates that the it would provide any public benefit. Based on the parcel's footprint, it is unlikely the CPA would be able create and provide space for community use. Rather the space will likely be used to serve guests and customers of the businesses occupying the development and it is highly unlikely residents of the neighborhood would access to any open areas.

S-NW-13 - Encourage efforts to bring neighbors together to help one another, either with ongoing or time-specific challenges, to enhance community resilience and cohesion. The CPA asserts there would be benefit but fails to articulate how the community would have access to any open areas. Based on the parcel's footprint it is unlikely the CPA would be able create and provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and it is highly unlikely local residents would have access to any open areas.

S-NW-14 - Support the continued use of existing facilities and the introduction of new businesses and facilities that provide gathering opportunities for community-oriented programs and services. Based on the parcel's footprint it is unlikely the CPA would be able to create and provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and it is highly unlikely residents of the neighborhood would have access to any open areas.

S-NW-15 - Improve public access to outdoor covered areas for residents to gather informally throughout the year. Based on the parcel's footprint it is unlikely the CPA would be able to provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and it is highly unlikely residents of the neighborhood would have access to any open areas.

Areas of Conflict with Policies Referenced in CPA Application (continued)

S-NW-16 - Introduce and retain existing recreational opportunities in public spaces, such as pickle-ball courts or outdoor games. Based on the parcel's footprint it is unlikely the CPA would be able to create and provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and unlikely local residents would access to any open areas. The CPA fails to provide any public benefit or address needs of the city at-large.

Significant Policy Conflicts Not Addressed in the CPA Application

S-NW-3 - Preserve the existing sub-neighborhood characters by supporting efforts to renovate and maintain the existing housing stock. This CPA seeks to decrease the potential housing stock in the city. Shifting from a multi-unit residential unit to mixed-use including a hotel with transient guests will reduce ties to the community and neighborhood. Further the CPA diminishes the overall vision for NW Bellevue of creating a "sense of community". This CPA conflicts with this policy. As proposed the CPA could eliminate up to 21 residential units from the existing housing stock. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-8 - Maintain a clear distinction between the scale of Downtown Bellevue and that of Northwest Bellevue. The CPA will dilute and diminish the scale and distinction by adding commercial properties and increasing the permitted height from 30 to 45 feet overshadowing homes directly adjacent to the property and across the street, negatively impacting existing home values and sense of community. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-9 - Create a separation between the low-intensity uses within Northwest Bellevue and Downtown Bellevue, utilizing buffers such as McCormick Park and/or gradients of building scale within Northwest Bellevue to ease that transition where appropriate. Current zoning provides an appreciated buffer to the Lochleven neighborhood. This CPA as proposed diminishes an existing buffer. The proposed rezone increases the permitted height, further negatively impacting the buffer and gradients of building scale. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-10 - Direct vehicles moving between Downtown Bellevue and Northwest Bellevue to the minor and major arterial network rather than residential streets. The CPA if approved will add non-residential traffic patterns throughout the day onto residential streets, utilizing a public alley from 100th Ave NE, through the Boys and Girls parking lot to 99th Ave NE and NE 1st Streets. The CPA fails to provide any public benefit or address the needs of the city at-large and will intrude into RPZ 9.

S-NW-26 - Create opportunities for a mix of housing typologies, within both lower and higher intensity districts, to allow for a range of affordability options with a variety of housing units and visual styles and ease of movement for the physically disabled. The CPA as proposed could remove up to 21 residential units and fails to provide any public benefit nor would it address the needs of the city at-large.

S-NW-38 - Maintain a clear distinction between arterials and neighborhood streets, discouraging commuter through traffic from using residential streets to get to their destination. The CPA would only increase and attract cut-through traffic on NE 1st Street and 99th Ave NE. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-45 - Support efforts to protect Northwest Bellevue's tree canopy, preserve its trees, and enhance the health of trees on both public and private property. This parcel has over two-dozen "protected" trees and this application and the SEPA environmental checklist is silent on the impact to the tree canopy and any commitment to retain the protected trees.

From: Craig Spiezle <craigsp@lochlevenwa.org>
Sent: Wednesday, January 26, 2022 9:24 AM
To: Stokes, John
Cc: lochleven wa; Nesse, Katherine; Johnson, Thara
Subject: Comprehensive Plan Amendment - Project Name: 115 100th Ave (the "Property") File # 21-120635-AC
Attachments: LochlevenResponse21-120635AC.pdf

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Council Member Stokes,

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Craig Spiegle

craigsp@LochlevenWA.org

On Behalf of the Lochleven Community Association

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From: Craig Spiezle <craigsp@lochlevenwa.org>
Sent: Wednesday, January 26, 2022 9:23 AM
To: Robinson, Lynne
Cc: lochleven wa; Nesse, Katherine; Johnson, Thara
Subject: Comprehensive Plan Amendment - Project Name: 115 100th Ave (the "Property") File # 21-120635-AC
Attachments: LochlevenResponse21-120635AC.pdf

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Mayor Robinson,

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Craig Spiezle
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It is our assessment that the CPA will not provide any public benefit, will not enhance the public health, safety, and welfare of the Lochleven neighborhood and will not advance the interests and needs of the city at-large. Subsequently based on the rezone decision criteria in LUC 20.30A.140, this CPA should be denied. As outlined in Exhibit A, it is our assessment the CPA conflicts 100% of the relevant policies within the recently approved Comprehensive Plan for Northwest Bellevue.

As Council considers this CPA, we ask you to consider these fundamental questions. If you answer no to any, we believe Council should deny this CPA.

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2. Does diminishing and moving the boundary between the Downtown and the Lochleven neighborhood justify an intrusion into the long-established transition buffer of 100th Ave. NE?
3. Does the need to add hotel rooms and or commercial space which will eliminate up to twenty-one residential units outweigh the goal of maintaining housing stock adjacent to downtown?
4. Does the Lochleven neighborhood need retail/commercial space when there are existing vacancies within a 3-minute walk of the subject area?
5. Does the CPA justify creating non-residential parking and traffic issues around the Downtown Park including potential pedestrian safety issues at the Boys & Girls Club, which shares a driveway?
6. Does expanding the CPA from a "spot re-zone" through a threshold review, justify diminishing the unique nature of Lochleven and its' defined "sense of place" as recognized in the Comprehensive Plan for Northwest Bellevue?

In considering the CPA we would like to point out what we believe are two incorrect statements in the CPA application. The applicant asserts the CPA would enhance the Grand Connection which runs through the middle of Downtown Park along 103rd Avenue and Main Street to Meydenbauer Park. This statement is incorrect. The Property is two blocks away from Grand Connection pathway and is not contiguous to it. As such the CPA has no public benefit or relevancy to the Grand Connection.

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As outlined above we believe the only answer is to deny this application and maintain existing residential zoning. Doing so helps protect and strengthen the great neighborhoods we live in and the integrity of the Comprehensive Plan for Northwest Bellevue. For additional context to this letter, refer to LCA's previous communications submitted and posted at <https://www.lochlevenwa.org/chimney-rezone>.



Craig Spiegle

craigsp@LochlevenWA.org

On Behalf of the Lochleven Community Association

Exhibit A

Review of the CPA and the impact to NW Bellevue Comprehensive Plan

Areas of Conflict with Policies Referenced in CPA Application

S-NW-1 - Protect and enhance the existing distinctions between land uses throughout the Neighborhood Area through the use of transition areas between higher-intensity use districts and lower-intensity use districts as well as encouraging design features such as landscape buffers. This CPA would compromise and diminish the existing distinctions of current land use within the comprehensive plan. The CPA fails to provide any public benefit or address needs of the city at-large.

S-NW-2 - Promote transition areas when areas adjacent to a lower intensity land use district are rezoned, and encourage the integration of pedestrian traffic into the neighborhood structure. The parcel in the CPA is not adjacent to low intensity land use, it is within a current lower density area. Rather than increase pedestrian traffic the CPA will likely increase vehicle traffic and parking congestion in the existing Restricted parking Zone, (RPZ 9). The neighborhood lacks continuous sidewalks and increased pedestrian traffic in the streets creates a public safety risk. There is no benefit from a rezone, and no need for a transition area. The CPA fails to provide any public benefit or address needs of the city at-large.

S-NW-6 - Encourage new development to maintain and enhance the neighborhood character of the individual sub-neighborhood. The CPA conflicts with the policy by introducing commercial development into a residential neighborhood and will degrade the neighborhood character and sense of community and negatively impact existing home values. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-11 - Collaborate with neighboring jurisdictions to promote a consistent experience when crossing jurisdictional boundaries. The CPA rezone asserts that there is a benefit in the rezone. There is no jurisdictional boundary involved in this request. Jurisdictional boundaries to NW Bellevue pertain to adjacent cities/towns such as Medina, Clyde Hill and/or Kirkland. This statement is inaccurate, the CPA fails to provide any public benefit nor address the needs of the city at-large.

S-NW-12 - Support efforts to create gathering opportunities, bringing together residents from different sub-neighborhoods, cultures, ages, or backgrounds. The CPA overstates that the it would provide any public benefit. Based on the parcel's footprint, it is unlikely the CPA would be able create and provide space for community use. Rather the space will likely be used to serve guests and customers of the businesses occupying the development and it is highly unlikely residents of the neighborhood would access to any open areas.

S-NW-13 - Encourage efforts to bring neighbors together to help one another, either with ongoing or time-specific challenges, to enhance community resilience and cohesion. The CPA asserts there would be benefit but fails to articulate how the community would have access to any open areas. Based on the parcel's footprint it is unlikely the CPA would be able create and provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and it is highly unlikely local residents would have access to any open areas.

S-NW-14 - Support the continued use of existing facilities and the introduction of new businesses and facilities that provide gathering opportunities for community-oriented programs and services. Based on the parcel's footprint it is unlikely the CPA would be able to create and provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and it is highly unlikely residents of the neighborhood would have access to any open areas.

S-NW-15 - Improve public access to outdoor covered areas for residents to gather informally throughout the year. Based on the parcel's footprint it is unlikely the CPA would be able to provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and it is highly unlikely residents of the neighborhood would have access to any open areas.

Areas of Conflict with Policies Referenced in CPA Application (continued)

S-NW-16 - Introduce and retain existing recreational opportunities in public spaces, such as pickle-ball courts or outdoor games. Based on the parcel's footprint it is unlikely the CPA would be able to create and provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and unlikely local residents would access to any open areas. The CPA fails to provide any public benefit or address needs of the city at-large.

Significant Policy Conflicts Not Addressed in the CPA Application

S-NW-3 - Preserve the existing sub-neighborhood characters by supporting efforts to renovate and maintain the existing housing stock. This CPA seeks to decrease the potential housing stock in the city. Shifting from a multi-unit residential unit to mixed-use including a hotel with transient guests will reduce ties to the community and neighborhood. Further the CPA diminishes the overall vision for NW Bellevue of creating a "sense of community". This CPA conflicts with this policy. As proposed the CPA could eliminate up to 21 residential units from the existing housing stock. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-8 - Maintain a clear distinction between the scale of Downtown Bellevue and that of Northwest Bellevue. The CPA will dilute and diminish the scale and distinction by adding commercial properties and increasing the permitted height from 30 to 45 feet overshadowing homes directly adjacent to the property and across the street, negatively impacting existing home values and sense of community. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-9 - Create a separation between the low-intensity uses within Northwest Bellevue and Downtown Bellevue, utilizing buffers such as McCormick Park and/or gradients of building scale within Northwest Bellevue to ease that transition where appropriate. Current zoning provides an appreciated buffer to the Lochleven neighborhood. This CPA as proposed diminishes an existing buffer. The proposed rezone increases the permitted height, further negatively impacting the buffer and gradients of building scale. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-10 - Direct vehicles moving between Downtown Bellevue and Northwest Bellevue to the minor and major arterial network rather than residential streets. The CPA if approved will add non-residential traffic patterns throughout the day onto residential streets, utilizing a public alley from 100th Ave NE, through the Boys and Girls parking lot to 99th Ave NE and NE 1st Streets. The CPA fails to provide any public benefit or address the needs of the city at-large and will intrude into RPZ 9.

S-NW-26 - Create opportunities for a mix of housing typologies, within both lower and higher intensity districts, to allow for a range of affordability options with a variety of housing units and visual styles and ease of movement for the physically disabled. The CPA as proposed could remove up to 21 residential units and fails to provide any public benefit nor would it address the needs of the city at-large.

S-NW-38 - Maintain a clear distinction between arterials and neighborhood streets, discouraging commuter through traffic from using residential streets to get to their destination. The CPA would only increase and attract cut-through traffic on NE 1st Street and 99th Ave NE. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-45 - Support efforts to protect Northwest Bellevue's tree canopy, preserve its trees, and enhance the health of trees on both public and private property. This parcel has over two-dozen "protected" trees and this application and the SEPA environmental checklist is silent on the impact to the tree canopy and any commitment to retain the protected trees.

From: Craig Spiezle <craigsp@lochlevenwa.org>
Sent: Wednesday, January 26, 2022 9:32 AM
To: PlanningCommission
Cc: Nesse, Katherine; Johnson, Thara; lochleven wa
Subject: FW: Comprehensive Plan Amendment - Project Name: 115 100th Ave (the "Property")
File # 21-120635-AC
Attachments: LochlevenResponse21-120635AC.pdf

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Members of the Planning Commission,

I am forwarding this email and supporting letter that was sent today to members of City Council. While the Lochleven Community Association (LCA) realizes the Commission is not slated to review the threshold and geographic review until the February 23 commission meeting, we feel it is important to provide this background in advance and provide the Commission ample time to review the CPA in its entirety. Additional background to the CPA may be found at <https://www.lochlevenwa.org/chimney-rezone>

The LCA Board would welcome the opportunity to meet over coffee and walk the neighborhood to provide additional insights.

Thank you.

Craig Spiezle
On behalf of the Lochleven Community Association

From: Craig Spiezle <craigsp@lochlevenwa.org>
Sent: Wednesday, January 26, 2022 9:23 AM
To: Robertson, Jennifer S.
Cc: lochleven wa; Nesse, Katherine; Johnson, Thara
Subject: Comprehensive Plan Amendment - Project Name: 115 100th Ave (the "Property") File # 21-120635-AC
Attachments: LochlevenResponse21-120635AC.pdf

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Council Member Robertson,

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Upon your availability, the Board and members of LCA would welcome the opportunity to meet for coffee and walk the neighborhood to discuss this CPA. This would be a great opportunity for the community to meet with you and discuss how we can work together to help strengthen our sense of community and protect our great communities.

Craig Spiezle
President, Lochleven Community Association
<https://LochlevenWA.org>
425-985-1421



<https://LochlevenWA.org>



Submitted via email

January 26, 2022

Bellevue City Council
City of Bellevue Planning Commission
City of Bellevue Planning Department
450 110th Avenue NE
Bellevue, WA 98004

Project Name: 115 100th Ave (the "Property") File # 21-120635-AC
Applicant: Ben Wei, WYMOND Investment LLC (Applicant)

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From: Craig Spiezle <craigsp@lochlevenwa.org>
Sent: Wednesday, January 26, 2022 9:22 AM
To: Nieuwenhuis, Jared
Cc: Nesse, Katherine; Johnson, Thara
Subject: Comprehensive Plan Amendment - Project Name: 115 100th Ave (the "Property") File # 21-120635-AC
Attachments: LochlevenResponse21-120635AC.pdf

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Deputy Mayor Nieuwenhuis,

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Craig Spiezle
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<https://LochlevenWA.org>
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Submitted via email

January 26, 2022

Bellevue City Council
City of Bellevue Planning Commission
City of Bellevue Planning Department
450 110th Avenue NE
Bellevue, WA 98004

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Craig Spiegle

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From: Craig Spiezle <craigsp@lochlevenwa.org>
Sent: Wednesday, January 26, 2022 9:21 AM
To: Lee, Conrad
Cc: lochleven wa; Nesse, Katherine; Johnson, Thara
Subject: Comprehensive Plan Amendment - Project Name: 115 100th Ave (the "Property") File # 21-120635-AC
Attachments: LochlevenResponse21-120635AC.pdf

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Council Member Lee,

I am submitting this letter on behalf of the Lochleven Community Association (LCA). This letter is being submitted in advance of the February 14, 2022 City Council meeting where this privately initiated Comprehensive Plan Amendment (CPA) is slated to be introduced. If approved the CPA as submitted would revise the zoning designation from Multifamily R-30 to Neighborhood Mixed Use (NMU). This CPA will increase the permitted height to 45 feet and be subject to a threshold review of other similar properties in the neighborhood.

For the record LCA opposes this CPA in its entirety and we encourage the Council, Planning Commission and Planning Department to deny it. If approved the CPA would revise the zoning designation from the existing Multifamily R-30 to Neighborhood Mixed Use (NMU), and increase the permitted height to 45 feet and be subject to a threshold review of other similar properties in the neighborhood. It is our assessment that the CPA will not provide any public benefit, will not enhance the public health, safety, and welfare of the Lochleven neighborhood and will not advance the interests and needs of the city at-large. Subsequently based on the rezone decision criteria outlined in LUC 20.30A.140, this CPA should be denied. As outlined in the attached letter it is our assessment the CPA conflicts 100% of the relevant policies within Comprehensive Plan for Northwest Bellevue you recently approved.

Upon your availability, the Board and members of LCA would welcome the opportunity to meet for coffee and walk the neighborhood to discuss this CPA. This would be a great opportunity for the community to meet with you and discuss how we can work together to help strengthen our sense of community and protect our great communities.

Craig Spiezle
President, Lochleven Community Association
<https://LochlevenWA.org>
425-985-1421



<https://LochlevenWA.org>



Submitted via email

January 26, 2022

Bellevue City Council
City of Bellevue Planning Commission
City of Bellevue Planning Department
450 110th Avenue NE
Bellevue, WA 98004

Project Name: 115 100th Ave (the "Property") File # 21-120635-AC
Applicant: Ben Wei, WYMOND Investment LLC (Applicant)

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As Council considers this CPA, we ask you to consider these fundamental questions. If you answer no to any, we believe Council should deny this CPA.

1. Do the benefits of the CPA override the vision and goals of the NW Bellevue Neighborhood Plan including the negative impact to the goals of "a sense of place and sense of community"?
2. Does diminishing and moving the boundary between the Downtown and the Lochleven neighborhood justify an intrusion into the long-established transition buffer of 100th Ave. NE?
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6. Does expanding the CPA from a "spot re-zone" through a threshold review, justify diminishing the unique nature of Lochleven and its' defined "sense of place" as recognized in the Comprehensive Plan for Northwest Bellevue?

In considering the CPA we would like to point out what we believe are two incorrect statements in the CPA application. The applicant asserts the CPA would enhance the Grand Connection which runs through the middle of Downtown Park along 103rd Avenue and Main Street to Meydenbauer Park. This statement is incorrect. The Property is two blocks away from Grand Connection pathway and is not contiguous to it. As such the CPA has no public benefit or relevancy to the Grand Connection.

The Applicant states the Property has been vacant since it was destroyed by fire in 2016 and suggests rezoning is therefore necessary for the redevelopment. This is incorrect. More accurately several issues including multiple lawsuits between the condominium owners, the condominium association and the insurance company have no doubt delayed development. Further negating this argument, the Applicant purchased the property on December 14, 2021, subject to current zoning, paying over \$15 million to the previous owner. If the current zoning limits its development, one must ask why a developer would pay such a premium.

As outlined above we believe the only answer is to deny this application and maintain existing residential zoning. Doing so helps protect and strengthen the great neighborhoods we live in and the integrity of the Comprehensive Plan for Northwest Bellevue. For additional context to this letter, refer to LCA's previous communications submitted and posted at <https://www.lochlevenwa.org/chimney-rezone>.



Craig Spiegle

craigsp@LochlevenWA.org

On Behalf of the Lochleven Community Association

Exhibit A

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Areas of Conflict with Policies Referenced in CPA Application

S-NW-1 - Protect and enhance the existing distinctions between land uses throughout the Neighborhood Area through the use of transition areas between higher-intensity use districts and lower-intensity use districts as well as encouraging design features such as landscape buffers. This CPA would compromise and diminish the existing distinctions of current land use within the comprehensive plan. The CPA fails to provide any public benefit or address needs of the city at-large.

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From: Craig Spiezle <craigsp@lochlevenwa.org>
Sent: Wednesday, January 26, 2022 9:20 AM
To: Barksdale, Jeremy
Cc: lochleven wa; Nesse, Katherine; Johnson, Thara
Subject: Comprehensive Plan Amendment - Project Name: 115 100th Ave (the "Property") File # 21-120635-AC
Attachments: LochlevenResponse21-120635AC.pdf

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Council Member Barksdale,

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Submitted via email

January 26, 2022

Bellevue City Council
City of Bellevue Planning Commission
City of Bellevue Planning Department
450 110th Avenue NE
Bellevue, WA 98004

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Craig Spiegle

craigsp@LochlevenWA.org

On Behalf of the Lochleven Community Association

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From: Craig Spiezle <craigsp@agelight.com>
Sent: Monday, January 3, 2022 4:24 PM
To: Nesse, Katherine
Subject: Meeting Request / 115th 100th Ave NE

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Kate,

On behalf of the Lochleven Community Association we would like to arrange a meeting with the planning department to discuss the status of the CPA. Ideally sometime this week or early next week would be ideal. One of the objectives is to understand the process and criteria that the planning department uses to make recommendations either in support of against an application. It would also be helpful if you could also provide a historical context summary of how the planning department responded to other privately-initiated CPA requests over the past 5 years.

Also I recall in your oral comments last month you inferred an equal number of residents provided comments in support of this amendment but we have not been able to obtain these through a public records request. It would be helpful to know if those who supported were aware of the implication of a threshold review. Our informal survey of residents of residents who reside within 500 feet of the property and first supported the idea, changed their mind once understanding the full context and implications. Their initial response was removing the old building was a goal and did not understand the implications to height changes, parking and transient usage and most importantly how this could be applied to other similar properties.

Last but not least we would like to understand if the planning department has made a determination on the legal standing of this application.

Thanks in advance.

Craig

From: Craig Spiezle <craigsp@agelight.com>
Sent: Monday, December 20, 2021 10:49 AM
To: McFarland, Matthew
Cc: Nesse, Katherine; King, Emil A.; Johnson, Thara; Mark Walters
Subject: RE: Legal Stand Rezone Application 21-120635
Attachments: 2021.12.16 - LTR - LCA Board to City Re - Chimneys Demo Permit.pdf

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Thank you for your email. LCA has been engaged since discovering the permit application in September and continues to engage the planning commission and City Council regarding what is appearing to be a pattern of irregularities regarding this parcel, applications and how it is being handled. As shared with you last week by LCA board member Mark Walters, another irregularity has been discovered. Their demolition permit was issued to a non-property owner (or its legal representative) and the contractor's license was suspended by the State of Washington over 7 months ago and remains suspended as of today.

We look forward to working with the City reviewing these irregularities, supporting the citizens and tax payers who reside in the City of Bellevue.

Also for the record the correct parcel number is 4389200210. The attached letter did not include the full number. We apologize for any confusion.



SENT VIA EMAIL ONLY

December 16, 2021

Matt McFarland (MMcfarland@bellevuewa.gov)

Assistant City Attorney

City of Bellevue

450 110th Ave NE

Bellevue, WA, 98004-5514

Re: Chimneys' Condo Property – Demolition Permit # 20 120879 BE / Parcel 438920021

Dear Mr. McFarland:

We write on behalf of the Lochleven Community Association, (LCA).

It has come to our attention that the City of Bellevue issued a demolition permit for this property to MYDIAN CONSTRUCTION LLC, which appears to be owned by Hongbin Wei and Qiuyan Yang, the same individuals that appear to own WYMOND INVESTMENTS LLC. (See Exhibit 1 and 3).

As shown in the contractor's license information currently available on the State of Washington Department of Labor and Industries website (Exhibit 2), MYDIAN CONSTRUCTION LLC does not appear to have a current contractor's license at this time or at the date of application for the demolition permit. Their license was suspended by Washington State Department of Labor and Industries on May 5, 2021.

LCA desires the structures on the Chimneys Condo site to be demolished and secured as soon as possible, as the site in its present form is a health and safety hazard. However, LCA and the City of Bellevue both have an interest in ensuring that the company performing the demolition work is a properly permitted, licensed, insured and bonded contractor. According to the available State records, the applicant that was issued the demolition permit does not meet these requirements.

Matt McFarland, Assistant City Attorney
City of Bellevue
Re: Demolition Permit # 20 120879 BE / Parcel 438920021
December 16, 2021
Page 2 of 2

We are concerned that the business entities involved in this demolition permit, and the land use application – rezone related to this property do not appear to be complying with all applicable statutes, rules and regulations.

We ask that your office look into this matter and take all appropriate actions.

Thank you very much.

Respectfully,

A handwritten signature in black ink, appearing to read "Mark D. Walters", with a stylized flourish at the end.

Mark D. Walters
On Behalf of the Board of the Lochleven Community Association
loclevenWA@gmail.com

Craig Spiezle
President

Joyce Dolan
Treasurer

Mark D. Walters
Secretary

Mike Hatmaker
Vice President

Steve McConnell
Director

Paresh Rajwat
Director

Annual Report

BUSINESS INFORMATION

Business Name:

MYDIAN INVESTMENT, LLC

UBI Number:

603 450 503

Business Type:

WA LIMITED LIABILITY COMPANY

Business Status:

ACTIVE

Principal Office Street Address:

125 100TH AVE NE, BELLEVUE, WA, 98004, UNITED STATES

Principal Office Mailing Address:

125 100TH AVE NE, BELLEVUE, WA, 98004, UNITED STATES

Expiration Date:

11/30/2022

Jurisdiction:

UNITED STATES, WASHINGTON

Formation/Registration Date:

11/07/2014

Period of Duration:

PERPETUAL

Inactive Date:

Nature of Business:

CONSTRUCTION

REGISTERED AGENT [RCW 23.95.410](#)

Registered Agent Name	Street Address	Mailing Address
QIUYAN YANG	125 100TH AVE NE, BELLEVUE, WA, 98004-5627, UNITED STATES	125 100TH AVE NE, BELLEVUE, WA, 98004-5627, UNITED STATES

PRINCIPAL OFFICE

Phone:

Email:

QIUME611@GMAIL.COM

Street Address:

125 100TH AVE NE, BELLEVUE, WA, 98004, USA

Mailing Address:

125 100TH AVE NE, BELLEVUE, WA, 98004, USA

GOVERNORS

Title	Type	Entity Name	First Name	Last Name
GOVERNOR	INDIVIDUAL		HONGBIN	WEI
GOVERNOR	INDIVIDUAL		QIUYAN	YANG

NATURE OF BUSINESS

- CONSTRUCTION

EFFECTIVE DATE

Effective Date:

10/11/2021

CONTROLLING INTEREST

1. Does your entity own real property such as land or buildings (including leasehold interests) in Washington?

YES

2. As of January 1, 2019, has there been a transfer of stock, other financial interest change, or an option agreement exercised that resulted in a transfer of at least 16? percent interest in the entity?

NO

a. If "yes", has the transfer of stock, other financial interest change, or an option agreement exercised resulted in a transfer of controlling interest (50 percent or greater)?

NO

3. As of January 1, 2019, has an option agreement been executed allowing for the future purchase or acquisition of the entity?

NO

You must report a [Controlling Interest Transfer Return](#) IF: you answered "yes" to questions 1 AND 2a.

Failure to report a Controlling Interest Transfer is subject to penalty provisions of [RCW 82.45.220](#).

For more information on **Controlling Interest**, visit www.dor.wa.gov/REET.

RETURN ADDRESS FOR THIS FILING

Attention:

Email:

Address:

UPLOAD ADDITIONAL DOCUMENTS

Do you have additional documents to upload? **No**

EMAIL OPT-IN

☐ By checking this box, I hereby opt into receiving all notifications from the Secretary of State for this entity via email only. I

This document is a public record. For more information visit www.sos.wa.gov/corps

Exhibit 1

Work Order #: 2021101100599237 - 1

Received Date: 10/11/2021

Amount Received: \$60.00

acknowledge that I will no longer receive paper notifications.

AUTHORIZED PERSON

☐ I am an authorized person.

Person Type:

INDIVIDUAL

First Name:

QIUYAN

Last Name:

YANG

Title:

☒ This document is hereby executed under penalty of law and is to the best of my knowledge, true and correct.

Contractors

MYDIAN CONSTRUCTION LLC

Owner or tradesperson

Principals

WEI, HONGBIN, PARTNER/MEMBER

YANG, QIUYAN, PARTNER/MEMBER

1621 114TH AVE SE STE 132

BELLEVUE, WA 98004

425-615-0957

KING County

Doing business as

MYDIAN CONSTRUCTION LLC

WA UBI No.

603 450 503

Business type

Limited Liability Company

Governing persons

HONGBIN

WEI

QIUYAN YANG;

License

Verify the contractor's active registration / license / certification (depending on trade) and any past violations.

Construction Contractor

Suspended.

Does not meet L&I licensing requirements.

License specialties

GENERAL

Suspend date

05/05/2021

License no.

MYDIACL800KH

Effective — expiration

05/11/2020— 05/11/2022

Bond

No current bond account. See the bond history.

Bond history

Insurance

No current insurance account. See the insurance history.

Insurance history

Savings

No savings accounts during the previous 6 year period.

Lawsuits against the bond or savings

No lawsuits against the bond or savings accounts during the previous 6 year period.

L&I Tax debts

No L&I tax debts are recorded for this contractor license during the previous 6 year period, but some debts may be recorded by other agencies.

License Violations

No license violations during the previous 6 year period.

Certifications & Endorsements

OMWBE Certifications

No active certifications exist for this business.

Apprentice Training Agent

No active Washington registered apprentices exist for this business. Washington allows the use of apprentices registered with Oregon or Montana. Contact the [Oregon Bureau of Labor & Industries](#) or [Montana Department of Labor & Industry](#) to verify if this business has apprentices.

Search Date: 12/14/2021

Workers' Comp

Do you know if the business has employees? If so, verify the business is up-to-date on workers' comp premiums.

L&I Account ID

653,304-01

Account is current.

Doing business as

MYDIAN CONSTRUCTION LLC

Estimated workers reported

Quarter 3 of Year 2021 "Less than 1 Workers"

L&I account contact

T3 / LAURIE BROWN (360)902-4679 - Email: BRLB235@lni.wa.gov

Public Works Requirements

Verify the contractor is eligible to perform work on public works projects.

Required Training– Effective July 1, 2019

Needs to complete training.

Contractor Strikes

No strikes have been issued against this contractor.

Contractors not allowed to bid

No debarments have been issued against this contractor.

Workplace Safety & Health

Check for any past safety and health violations found on jobsites this business was responsible for.

No inspections during the previous 6 year period.

Search Date: 12/14/2021

Please be aware that on December 31, 2021, all Over-the-Counter (OTC) permits left in your cart, or in drafts, will be removed from your MBP Dashboard. Applications that require plan review will not be affected and will remain in Drafts. Thank you. ✕

Permit/Application Details

Information for Permit #: 20 120879 BE

Project Name:	115 Demolition
Jurisdiction:	Bellevue
Type:	BE ⓘ
Address:	115 100th Ave NE
Parcel:	4389200210
Status:	Issued ⓘ
Applied Date:	11/10/2020
Issued Date:	10/20/2021
Finaled Date:	
Expiration Date:	10/19/2024

Description

Proposed to demolish existing building and carport. Keep existing slab on grade on building and asphalt paving on carport.

People



 Export to Excel

Exhibit 3

Type	Name	Contractor License Number
Applicant	Mo Gary	
Contractor	MYDIAN CONSTRUCTION LLC - WEI HO.	MYDIACL800KH

Reviews and Activities

Export to Excel

	Review/Activity	Staff	Assig... Date	Status	Com... Date	Notes
▶	First Review-L.U.	Kennith ...		Review P...	12/23...	Demolition requires...
▶	Rev. 1 Review-L.U.	Kennith ...		Review P...	1/13/...	SEPA Checklist not su..
▶	Rev. 2 Review-L.U.	Kennith ...		Approved	2/4/2...	SEPA notice to be iss..
	First Review-C&G	Janney G...		Approved	12/11...	
	First Review-Util	Chris Bro...		Approved	12/10...	
	First Review-ROW	Mazen W...		Approved	6/1/2...	Total: 8 records
	First Review-Fire	Derek La...		Approved	11/20...	
	First Review-Bldg	Lee Kran...		Approved	11/18...	

See Permit or Approved Plans for Conditions

Information unavailable

Inspections

Export to Excel

Inspection	Date	Sta...	Staff	Notes	Documents
No inspections available for this permit					
Exhibit 3			No items to display		

Fees				▲
<div><div><div>✕</div>Export to Excel</div></div>				
Item	Bill #	Fee Amount	Fee Remaining	
Building Review	817502	\$78.00	\$0.00	
Fire Review	817502	\$87.00	\$0.00	
Operations	817502	\$41.00	\$0.00	
Clear & Grade Review	817502	\$111.00	\$0.00	
Land Use Review	817502	\$332.00	\$0.00	
			1 - 5 of 11 items	

Other Permits On Same Parcel				▲
<div><div><div>✕</div>Export to Excel</div></div>				
	Permit #	Status	Description	
▶	21 120635...	Pend...	Rezone and Comprehensive Plan Amendment from Multifamily High.R	
▶	20 122000...	Closed	Occupy the ROW to demolish existing building above slab on grade.	
▶	20 120879...	Issued	Proposed to demolish existing building and carport. Keep existing slab	
	20 120176...	Closed	null	
	20 119503...	Closed	null	
	20 100042...	Closed	null	
	19 131445...	Closed	null	Total: 32 records
	19 120616...	Closed	null	
▶	19 102290...	Closed	Annual Fire/Life Safety Inspection	
▶	18 100595...	Closed	Annual Fire/Life Safety Inspection	
▶	17 120860...	Closed	questions regarding feedback on tree retention, proposed bldg. height	
▶	17 105662...	Closed	Fire damage repair to an existing condominium building *16-145566 EA	
▶	17 100023...	Closed	Annual Fire/Life Safety Inspection	
▶	16 149317...	Expir...	A Multifamily Residential Repair or Replacement Electrical Project Invol	

▶ 16 149273...	Expir...	Haul Route only for the demolition and the reconstruction of the build
▶ 16 149220...	Closed	Fire Damage Demolition for an existing Condominium Building16-145...
▶ 16 100953...	Closed	Annual Fire/Life Safety Inspection
▶ 15 126546...	Open	Fire Code deficiencies identified during Fire/Life Safety Inspection
▶ 15 101641...	Viola...	Annual Fire/Life Safety Inspection
▶ 14 141063...	Closed	Replace existing 100 amp panel
▶ 14 101690...	Closed	Annual Fire/Life Safety Inspection
▶ 13 109320...	Open	Fire Code deficiencies identified during Fire/Life Safety Inspection
▶ 13 101747...	Viola...	Annual Fire/Life Safety Inspection
▶ 12 101743...	Closed	Annual Fire/Life Safety Inspection
▶ 11 101770...	Closed	Annual Fire/Life Safety Inspection
▶ 10 101790...	Closed	Annual Fire/Life Safety Inspection
▶ 09 105280...	Closed	Special Fire/Life Safety Inspection
▶ 09 101826...	Closed	Annual Fire/Life Safety Inspection
▶ 08 101703...	Closed	Annual Fire/Life Safety Inspection
▶ 07 102440...	Closed	Annual Fire/Life Safety Inspection
▶ 06 141943...	Closed	Annual Fire/Life Safety Inspection
▶ 06 141944...	Closed	Fire Code deficiencies identified during Fire/Life Safety Inspections

Exhibit 3

From: Jane Boulware <jane@jboulware.com>
Sent: Tuesday, December 14, 2021 1:39 PM
To: Nesse, Katherine
Subject: Project #21-120635-AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hi Katherine –

I am writing to oppose the proposed land use change from multi-family-high to neighborhood mixed use (NMU) for the site at 115 100th Ave NE (the burned apartment building).

My family and I live a few houses away at 9822 Lake WA Blvd NE. For nearly 20 years, I've enjoyed the Lochleven neighborhood and have been active in ensuring it is a safe place for families and kids. I am currently the Chairman of the Board for the Boys & Girls Clubs of Bellevue and am passionate that the 'downtown' area of Bellevue remains east of 100th street so that the Lochleven neighborhood, roads, sidewalks etc remain safe and accessible for kids and families. Rezoning this plot and others along 100th street would materially, adversely change the neighborhood, creating commerce, traffic and a non-family-friendly space.

I understand that LCA is petitioning to drop the proposal but am realistic that another may follow. I am requesting that you deny the petition and retain west-of-100th from further commercial development.

Kindly,

Jane Boulware family
9822 Lake WA Blvd NE



Oral Comments to Bellevue Council City on Monday December 13

Re: ORD 6635

Ordinance adopting the Northwest Bellevue Neighborhood Area Plan Comprehensive Plan Amendment (21-100174-AC) pursuant to the Growth Management Act, Chapter 36.70A RCW, and Chapter 35A.63 RCW; providing for severability; and establishing an effective date.

Mayor Robinson, Deputy Mayor Nieuwenhuis and members of City Council, my name is Craig Spiezle and I am speaking tonight on behalf of the Lochleven Community Association, also known as LCA.

LCA supports the updated draft NW Bellevue Neighborhood Plan and would like to extend our appreciation for the hard work of all involved and demonstrates that city staff, the Planning Commission and City Council listens. We believe the current draft reflects a balanced and measured approach to preserving the sense of community and neighborhood character and further defining the boundaries from downtown Bellevue, while increasing an emphasis on neighborhood safety and ability for residents to age in place. It is important to note that one size does not fit all, and all parties needs to be aware of this as the City looks to draft other neighborhood plans. We encourage you to vote in support of this draft before you.

As outlined in our previous comments, we believe there is a path forward to embrace and implement a mix of housing typographies including affordable housing alternatives as outlined in Policy S-NW-24. LCA would welcome participation in an advisory role towards evaluating considerations and establishing “guardrails” to support this objective, while protecting the character of our neighborhoods.

Looking ahead it is important we remain steadfast to the principles and policies within this plan and not permit private parties and developers to compromise the integrity of this work.

As I speak before you the City is now faced with a proposed amendment to the NW Bellevue Comprehensive Plan. For the record, LCA has challenged the applicant's legal standing and have asked the City Attorney to disqualify this application. The applicant did not own the property on September 8th when first engaging the City and as of today they still do not own it.

If approved this amendment would change a property from Multi-Family High (MF-H) to Neighborhood Mixed Use (NMU) which will allow retail and commercial use increasing the height from 30-45 feet. Additionally, it would be subject to a threshold review which could expand this to other similar properties within Lochleven. Our analysis is this proposal would conflict with over 40% of the principles in the plan and in effect invalidate the plan you being asked to approve tonight.

We are requesting the Council to stand your ground and your previous commitment of "doing no harm" as it applies to our neighborhoods and put the brakes on such efforts which threaten to undermine the very fabric of our neighborhood.

Thank you in advance for your support and your hard work on the NW Bellevue Neighborhood Plan. Standing our ground and continued support of "doing no harm" principle will pay dividends for future generations.

Thank you.

A handwritten signature in cursive script that reads "Craig Spiegle".

Craig Spiegle, On Behalf of the Board of the Lochleven Community Association

Joyce Doland
Treasurer

Mike Hatmaker
Vice President

Steve McConnell
Director

Paresh Rajwat
Director

Craig Spiezle
President

Mark D. Walters
Secretary

cc: Bellevue City Council
City Planning Commission
Matt McFarland, Assistant City Attorney
Kate Nesse, City Planning Department



SENT VIA EMAIL AND US MAIL

December 10, 2021

Hongbin "Ben" Wei (ben@mydianus.com)

Qiuyan Yang (QIUME611@GMAIL.COM)

WYMOND INVESTMENT LLC

125 100th Avenue NE

Bellevue WA, 98004

Re: Chimneys Condo Property – Public Safety Requests

Dear Messrs. Wei and Yang:

I write on behalf of the Lochleven Community Association, (LCA).

We understand that WYMOND INVESTMENT LLC is presently in the process of purchasing the Chimneys condominium site and that it intends to develop this property. As you know, the Chimneys condominium buildings were destroyed in a tragic accidental fire in 2016, and the current owner has ignored the property, creating a hazardous and dangerous property in our community.

The LCA welcomes the development of this property for residential use, however, we oppose your rezone application. Nevertheless, we welcome you to the Lochleven neighborhood, and we look forward to working with you to find common ground. In particular, we welcome the comments of your representative Dane Jorgensen at the recent Bellevue Planning Commission meeting that you are committed to preserving and improving the neighborhood.

At this time, we request that, immediately upon the closing of your transaction to acquire this property, you take steps to secure the entire perimeter of the property from the carports (which are continually used by homeless for overnight camping and third parties for parking) to NE 1st Street, and from 99th Avenue NE to 100th Avenue NE. We ask that you install semi-permanent fencing to secure the entire perimeter of the property.

In addition, we would like to bring to your attention that Lochleven neighbors previously attempted to contact the current owners of this property regarding ignored plant growth and

Hongbin "Ben" Wei and Qiuyan Yang
WYMOND INVESTMENT LLC
Re: Chimneys Condo Property – Public Safety Requests
December 10, 2021
Page 2 of 3

vegetation and garbage obstructing the sidewalks, street parking and encroaching on over 5 feet of NE 99th Ave NE. This created a dangerous walking and traffic condition on the corner of 99th Ave. NE and NE 1st Street. Thus, over the weekend of September 11, 2021, neighbors collectively spent over 40 hours removing debris and spent nearly \$300 in dump fees to reduce the safety and health obstacles. This debris included garbage, empty alcoholic containers, drug paraphernalia, dead animal carcasses and human feces.

We also have safety concerns regarding the overgrowth from this property along 100th Ave NE, which forces pedestrians to walk dangerously close to the street and traffic. Local property owners also report that the garbage collection containers on site are full and overflowing. These issues will need your prompt attention.

As the review and subsequent permitting process for your development of this property will likely take two years, we also ask that, upon the closing of your transaction to acquire this property, you promptly take all necessary steps to obtain the required demolition permits to remove the existing structures from the property and that, upon issuance of these demolition permits, you promptly remove these structures from the property.

We thank you in advance for your cooperation with these public safety requests and ask that you respond to this letter within 10 days of the date you obtain title to this property.

Finally, enclosed with this letter is an application that you can use to join the Lochleven Community Association.

Respectfully,



Mark D. Walters, On Behalf of the Board of the Lochleven Community Association
loclevenWA@gmail.com

Craig Spiezle
President

Joyce Dolan
Treasurer

Mark D. Walters
Secretary

Mike Hatmaker
Vice President

Steve McConnell
Director

Paresh Rajwat
Director

Hongbin "Ben" Wei and Qiuyan Yang
WYMOND INVESTMENT LLC
Re: Chimneys Condo Property – Public Safety Requests
December 10, 2021
Page 3 of 3

cc: Katherine Nesse, Bellevue Planning Commission (KNesse@bellevuewa.gov)
Thara Johnson, Bellevue Planning Commission (TMJohnson@bellevuewa.gov)
Councilmember Jeremy Barksdale, Bellevue City Council (JBarksdale@bellevuewa.gov)
City of Bellevue, Code Compliance Team (codecompliance@bellevuewa.gov)
Board of Directors and Board Members of the Boys & Girls Clubs of Bellevue
Mike and Cathy Roeter
Bayshore East Condominium Association



Lochleven Community Association Membership Application – 2021/2022

<https://www.lochlevenwa.org/membership>

Primary Member

First Name _____

Last Name _____

Address _____

Cell Phone _____ Home Phone _____

Email _____

Spouse / Partner

First Name _____

Last Name _____

Cell Phone _____ Home Phone _____

Email _____

Annual Membership Fees

☐ \$25 Annual Fee per Household ☐ _____ Additional Contribution

Mail to: Lochleven Community Association c/o Craig Spiezle, 726 99th Ave NE, Bellevue, WA 98004

- ☐ I would like to join a working committee and/or be nominated to the board of directors.
- ☐ I am interested in becoming a "Block Captain" to help connect with neighbors on my street.
- ☐ I have completed CERT Training or have first aid training to assist neighbors in an emergency.
- ☐ I am interested in learning more about the Bellevue Community Emergency Response Team (CERT) training program.

Other than member's names, no information will be shared with any third party or posted online. Information will only be used for management of LCA and to send notices and alerts to members.

December 8, 2021

To: City of Bellevue Planning Commission
Re: Oral Comments: Project Name: 115 100th Ave
File Number: 21-120635-AC
Applicant: Ben Wei, WYMOND Investment LLC

Good evening. My name is Craig Spiezle. I am speaking tonight echoing recent comments submitted by the Lochleven Community Association and those voiced by others.

Before I proceed it is important to notify the Commission that it has been revealed the applicant does not have legal standing and if verified, the only action the city can take is to nullify the application. This matter has been referred to the City Attorney by the Planning Department. The community has since requested an ethics and conflict of interest review.

As a community we want to see this property developed, however we strongly object to the application. This rezone would significantly impact our neighborhood and conflict with over 40% of the policies outlined in the draft NW Bellevue Neighborhood plan. Further as stated the application could eliminate up to 23 residential units from the available housing stock which also conflicts with the comprehensive plan.

The rezone would increase the existing building height from 30 up to 45 feet, overshadowing adjacent properties, while inserting commercial use into a residential area. It would be an unnecessary intrusion of the established transition buffer and as proposed it risks significantly impacting the tree canopy including over twenty trees designated as significant per LUC 20.20.900. Further the neighborhood opposes any discussions to potentially amend the application to expand the boundaries to include nearby similarly situated properties.

In addition to the apparent lack of legal standing, this submission contains other material misstatements. These include but are not limited to the unfounded assertions this rezone would provide a public benefit to the “grand connection” and that the current zoning has impeded the development of the property.

Approval would benefit a single investor, while providing no public benefit and negatively impacting the neighborhood.

This property shares an easement with the Bellevue Boys and Girls Club and is directly adjacent to a downtown park and children’s play area. The safety of these children and family’s needs to be prioritized. This property has been an eyesore and safety hazard for over 5 years. It has neither been maintained or kept secure, attracting homeless, drug users and other illicit activities.

I encourage the Planning Department to flag this property as a public safety and health risk and expedite the demolition. In the meantime, semi- permanent fencing should be required around its entire perimeter to help maximize the security of the neighborhood.

In summary City Council has unanimously supported the “do no harm principle”. Now is the time to stand by these principles and 1) deny this application in totality, 2) require the property to be maintained and kept secure 3) accelerate its demolition and 4) drive efforts to restore this property to residential housing as soon as possible.

Thank you. I look forward to working with staff and the Commission to further protect and enhance our neighborhoods while expanding housing opportunities.

Craig Spiegle

726 99th Ave NE
Bellevue, WA



December 10, 2021

Mr. Matt McFarland
Assistant City Attorney
City of Bellevue
450 110th Ave Ne
Bellevue, WA, 98004-5514

Project Name: 115 100th Ave
Location: 115 100th Ave NE
File Number: 21-120635-AC
Applicant: Ben Wei, WYMOND INVESTMENTS LLC

Dear Mr. McFarland,

I write on behalf of the Lochleven Community Association to respectfully request the City of Bellevue nullify the application to rezone the above referenced property because the Applicant, Mr. Ben Wei, lacked legal standing when he submitted this site-specific rezone application.

Since September, the Lochleven Community Association has been attempting to contact the current owner of this property (Caymus Development, Inc.) as recorded by King County. (See Exhibit 1). We have concurrently contacted City of Bellevue Staff to try to determine the true owner. We confirmed on Wednesday December 8, prior to the Planning Commission meeting that neither the Applicant nor his firm owns this property or represents the current owners.

20.30I.130 (2)(c)(i) of the Land Use Code states, "A property owner or authorized agent of the property owner may propose a site-specific amendment to the Comprehensive Plan." Neither Mr. Wei nor WYMOND INVESTMENT LLC (Wymond) owns this property, and there is nothing in the record that shows the current owner, Caymus Development, appointing or authorizing Mr. Wei or Wymond as its authorized agent or legal representative.

As such, we believe that the Applicant did not have legal standing to submit this site-specific rezone application on September 15, 2021. Indeed, it now appears that the Applicant will not have the necessary legal standing until the sale of the property closes on Friday, December 17, 2021 (assuming the sale closes). This timing of ownership, or rather lack thereof, was acknowledged by Mr. Dane Jorgensen when he spoke on behalf of Mr. Ben Wei before the Planning Commission the evening of December 8, 2021.

In addition, the Applicant appears not to have used his legal name when submitting the rezone application. Documents obtained from the Corporation Division of the Washington Secretary of State for Wymond indicates the legal representative is Hongbin Wei and does not list anyone named Ben Wei.

Under the LUC, the applicant must have standing to submit an application for a site-specific rezoning at the time the application is submitted. These rules exist for a reason, for example, to prevent a non-owner from submitting a rezone application while a transaction is pending, and then backing out of the transaction after the site-specific application is approved, potentially leaving the true owner of the site in a compromised position.

In this instance, the Applicant will not be eligible to submit an application for a site-specific rezoning until after the change of ownership occurs which the applicant has stated is December 17, 2021, 100 days after first engaging the City. Per city policy the window for submitting rezoning applications in the next review of the Comprehensive Plan is closed. Because of the timing involved, the new owner of the property will need to wait until the City of Bellevue's next review cycle in 2023 to submit an application for rezoning.

The City's rezoning application timeline is designed to provide time for community individuals and organizations to become informed and to engage in the rezoning process. Part of that process is understanding the parties involved, the history of their development projects, the impact they have had on their communities during past development projects, and related issues. Further the process is in place to allow staff, the Planning Commission and City Council to review all applicants in a fair and transparent manor. Making an exception would be in direct conflict with City policy.

The Lochleven Community Association opposes granting any waiver or exception to the LUC's site specific rezone application process. The City of Bellevue's rules and regulations around site specific rezoning are designed to protect the City and its residents. They are not in place to provide a 100-day grace period for investors.

We believe the only just result here is for the City to nullify this Application. We look forward to working with the City to protect the interests of the City and its residents.

Craig Spiegle, On Behalf of the Board of the Lochleven Community Association



LochlevenWA@gmail.com

Joyce Doland, Treasurer
Paresh Rajwat, Director

Mike Hatmaker, Vice President
Craig Spiegle, President

Steve McConnell, Director
Mark D. Walters, Secretary

Instrument Number: 20171130001509 Document:WD Rec: \$76.00 Page-1 of 1
Record Date:11/30/2017 1:30 PM
King County, WA

When recorded return to:
 Caymus Development Inc.
 19516 S Susana Road
 Compton, CA 90221



20171130001509

WARRANTY DEED Rec: \$76.00
 11/30/2017 1:30 PM
 KING COUNTY, WA

SPECIAL WARRANTY DEED

OLD REPUBLIC TITLE LTD

17-023038 3/76

THE GRANTOR(S) **CHIMNEY HOMEOWNERS' ASSOCIATION**, a Washington non-profit corporation, as trustee for the holders of all interests in the former units of The Chimneys, a Condominium for and in consideration of \$10.00 and good and other valuable consideration in hand paid, bargains, sells, and conveys to **CAYMUS DEVELOPMENT INC.**, a California corporation the following described estate, situated in the County of King, State of Washington:

Lots 10, 11, 12 and 13, Block 4, LOCHLEVEN, according to the plat thereof recorded in Volume 16 of Plats, page 46, records of King County, Washington; EXCEPT the North 50 feet of said Lot 13.

SITUATE in the County of King, State of Washington, SUBJECT TO THE MATTERS SET FORTH ON EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF:

Abbreviated Legal: Lots 10-12 and portion of Lot 13, Block 4, LOCHLEVEN

Tax Parcel Number(s): 156350-0010-04, 156350-0020-02, 156350-0030-00, 156350-0060-03, 156350-0070-01, 156350-0080-09, 156350-0090-07, 156350-0100-05, 156350-0110-03, 156350-0120-01, 156350-0130-09, 156350-0140-07, 156350-0150-04, 156350-0160-02, 156350-0170-00, 156350-0190-06, 156350-0200-04, 156350-0210-02, 156350-0040-08, 156350-0050-05 and 156350-0180-08

The Grantor does by these presents expressly limit the covenants of the deed to those herein expressed, and excludes all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under said Grantor and not otherwise.

E2903554

EXCISE TAX AFFIDAVITS
 11/30/2017 1:30 PM KING COUNTY, WA
 Selling Price:\$11,310,000.00
 Tax Amount:\$201,323.00

LPB 16-09(r)
 Page 1 of 3

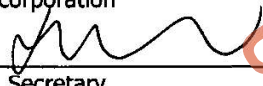
Exhibit 1

Search and Download Date 12.10.2021

Instrument Number: 20171130001509 Document: WD Rec: \$76.00 Page-2 of 2
Record Date: 11/30/2017 1:30 PM King County, WA

Dated: 11/29/17

CHIMNEY HOMEOWNERS' ASSOCIATION, a Washington
non-profit corporation

By: 
Xiao Cai, Secretary


STATE OF Washington

ss.

COUNTY OF King

I certify that I know or have satisfactory evidence that Xiao Cai is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she is authorized to execute the instrument and acknowledge it as the Manager of Chimney Homeowners' Association to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: 11/29/17


Notary name printed or typed: Cidney Bryan
Notary Public in and for the State of Washington
Residing at Lake Forest Park, WA
My appointment expires: 11/29/20



LPB 16-09(r)
Page 2 of 2

Exhibit 1
Search and Download Date 12.10.2021

**Instrument Number: 20171130001509 Document: WD Rec: \$76.00 Page-3 of 3
Record Date: 11/30/2017 1:30 PM King County, WA**

EXHIBIT A

1. Terms and provisions as contained in an instrument,

Entitled: Notice of Charges by Water, Sewer, and Storm & Surface Water Utilities
Executed By: City of Bellevue
Recorded: December 22, 2011 in Official Records under Recording Number
20111222000589

Said document being a re-record of that certain document recorded under Recording No.
9612200938.

And recorded July 27, 2017 in Official Records under Recording Number 20170727001075

2. Any rights, interests or claims which may exist or arise by reason of the facts shown on a
ALTA/ NSPS Survey plat prepared by Terrane, on June 14, 2017, designated Job No.
171043, as follows:

A) Legal description recited on Survey is the legal description prior to the termination of the
Condominium by recorded termination;

B) Rebar cap in Northwesterly corner located 0.12 feet South of actual property corner;

C) Wall along Northerly lot line encroaches onto Northerly adjoinder by 2.0 feet to 0.2 feet;

D) Fence located in Northeast corner of property encroaches onto Northerly adjoinder by
0.5 feet;

E) Surveyor sets Northeast rebar/cap offset by 2.00 feet East of actual location;

F) Surveyor notes found rebar/cap in Northeast corner set by Triad, located 0.12 feet South
and 0.04 feet East of calculated location;

G) Rockery along portion of Northeasterly line encroaches over Lot line onto Northeasterly
adjoinder;

H) Rockery along Southeasterly portion of property encroaches into right-of-way of 100th
Avenue Northeast by 0.3 feet;

I) Rockery along portion of Southwesterly line encroaches into right-of-way of NE 1st
Avenue by 1.0 feet to 0.1 feet; and

J) Concrete stairs along portion of Southwesterly line encroaches into right-of-way of NE
1st Avenue.

LPB 16-09(r)
Page 3 of 3

From: Craig Spiezle <craigsp@agelight.com>
Sent: Thursday, December 9, 2021 11:11 AM
To: Nesse, Katherine
Cc: McFarland, Matthew; Johnson, Thara
Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Thanks you. We also learned today it appears the applicant did not use their legal name on the application.

From: Craig Spiezle <craigsp@agelight.com>
Sent: Thursday, December 9, 2021 9:52 AM
To: Nesse, Katherine; City_Attorney; King, Emil A.
Cc: Johnson, Thara
Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Kate,

Can you direct me to who in the City Attorney's office is investigating the standing of the application. By the applicants on omissions last night the property will not close until Dec 17th, over 100 days from first meeting with you.

Craig Spiezle
Lochleven Community Association

From: Craig Spiezle <craigsp@agelight.com>
Sent: Wednesday, December 8, 2021 9:24 AM
To: Nesse, Katherine; City_Attorney
Cc: Johnson, Thara; PlanningCommission
Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

Importance: High

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Thank you for taking my call confirming the property has not closed and the application and the representatives who met with City staff mis-represents ownership. The application was deceptive and expedited knowing the timeline and deadlines for submission of September 15th. It is nearly 90 days and we learned this morning they hope to close the transaction this Friday.

I appreciate your willingness to engage the City Attorney to consider nullifying the application. Rules and procedures are in place for a purpose. Further it is recommended an ethics and conflict of interest assessment be completed due to the applicant's attorney past role on the planning commission and how this may have contributed to this misrepresentation.

Katherine Nesse, PhD

Senior Planner, Community Development, City of Bellevue
knesse@bellevuewa.gov | 425-452-2042 | BellevueWA.gov

The data you seek is now online!

<https://bellevuewa.gov/city-government/departments/community-development/data>

From: Craig Spiezle <craigsp@agelight.com>

Sent: Tuesday, December 7, 2021 2:17 PM

To: Nesse, Katherine <KNesse@bellevuewa.gov>; PlanningCommission <PlanningCommission@bellevuewa.gov>

Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

It was just shared to me off the record the applicant is not the owner and the purchase is contingent on the re-zone. It was my understand that an application can only be submitted by the owner. As such would the re-zone application be null and voided?

From: Nesse, Katherine <KNesse@bellevuewa.gov>

Sent: Wednesday, December 1, 2021 1:49 PM

To: Craig Spiezle <craigsp@agelight.com>; PlanningCommission <PlanningCommission@bellevuewa.gov>

Cc: Barksdale, Jeremy <JBarksdale@bellevuewa.gov>; Robinson, Lynne <LRobinson@bellevuewa.gov>; Nieuwenhuis,

Jared <JNieuwenhuis@bellevuewa.gov>; Lee, Conrad <CLee@bellevuewa.gov>; Stokes, John

<JStokes@bellevuewa.gov>; Zahn, Janice <JZahn@bellevuewa.gov>; Robertson, Jennifer S.

<j.robertson@bellevuewa.gov>; Paresh Rajwat (Paresh.rajwat@gmail.com) <Paresh.rajwat@gmail.com>; Mike

Hatmaker (mikeh1357@aol.com) <mikeh1357@aol.com>; Mark Walters <walters.mdw@gmail.com>; Joyce Doland

<bendol@seanet.com>; stevemcc@construx.com; Craig Spiezle <craigsp@agelight.com>; Johnson, Thara

<TMJohnson@bellevuewa.gov>

Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

Mr. Spiezle,

Thank you for your comments. I will add it to the other comments I have received regarding this privately-initiated Comprehensive Plan Amendment for the 2022 CPA cycle.

Kate

Katherine Nesse, PhD

Senior Planner, Community Development, City of Bellevue
knesse@bellevuewa.gov | 425-452-2042 | BellevueWA.gov

The data you seek is now online!

<https://bellevuewa.gov/city-government/departments/community-development/data>

From: Craig Spiezle <craigsp@agelight.com>

Sent: Wednesday, December 1, 2021 12:48 PM

To: Nesse, Katherine <KNesse@bellevuewa.gov>; PlanningCommission <PlanningCommission@bellevuewa.gov>

Cc: Barksdale, Jeremy <JBarksdale@bellevuewa.gov>; Robinson, Lynne <LRobinson@bellevuewa.gov>; Nieuwenhuis,

Jared <JNieuwenhuis@bellevuewa.gov>; Lee, Conrad <CLee@bellevuewa.gov>; Stokes, John

<JStokes@bellevuewa.gov>; Zahn, Janice <JZahn@bellevuewa.gov>; Robertson, Jennifer S.

<j.robertson@bellevuewa.gov>; Paresh Rajwat (Paresh.rajwat@gmail.com) <Paresh.rajwat@gmail.com>; Mike

Hatmaker (mikeh1357@aol.com) <mikeh1357@aol.com>; Mark Walters <walters.mdw@gmail.com>; Joyce Doland

<bendol@seanet.com>; stevemcc@construx.com; Craig Spiezele <craigsp@agelight.com>

Subject: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

In response to this rezone application from multi-family to mixed use, the Lochleven Community Association, (LCA), submits the attached letter. This submission provides added context and concerns from the comments previously submitted on October 14, 2021.

As a community we strongly object to the proposal to modify the land use code for this property location as well as any parcel on the west side of 100th Ave NE, from NE 1st street to NE 8th street. As outlined in the attached document, the proposed up-zoning conflicts with over 40% of the policies and objectives outlined in the revised draft Northwest Bellevue Comprehensive Plan.

If approved, this rezone will significantly impact our neighborhood and community at large, diminishing a sense of place and sense of community. The application runs counter to the city's goals of preserving, strengthening and enhancing community. The existing zoning was established as a transition envisioning current development we see today in Downtown. The proposed change would be an unnecessary intrusion of the established transition buffer.

We look forward to working with the city preserving the character and safety of our neighborhood and not approve any re-zoning or change in permitted use of this or any other parcel in Lochleven. We are happy to meet to provide any additional context to these and other concerns.

cc: Lochleven Board of Directors
Bellevue City Council

Craig Spiezele
President, Lochleven Community Association
<https://LochlevenWA.org>
425-985-1421



From: Craig Spiezle <craigsp@agelight.com>
Sent: Tuesday, December 7, 2021 3:52 PM
To: Nesse, Katherine
Cc: Johnson, Thara
Subject: Re: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

I should note this is not confirmed but does gel with what King County told me when I called as there is no reason it would take 100 days to be recorded.

Craig Spiezle
[Https://www.agelight.com](https://www.agelight.com)
425-985-1421

From: Craig Spiezle <craigsp@agelight.com>
Sent: Tuesday, December 7, 2021 2:17 PM
To: Nesse, Katherine; PlanningCommission
Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

It was just shared to me off the record the applicant is not the owner and the purchase is contingent on the re-zone. It was my understand that an application can only be submitted by the owner. As such would the re-zone application be null and voided?

From: Dean Brown <deancarsonbrown@gmail.com>
Sent: Sunday, December 5, 2021 9:09 AM
To: Nesse, Katherine
Subject: Project #21-120635-AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Ms. Nesse,

Good day. We object to the application to rezone the property with the burned down condos. It is both not necessary and objectionable. There are plenty of properties downtown for the development of retail and hotel space. No need to rezone this property for more.

We need residential space in the city.

The hotel and retail plans will degenerate our neighborhood with traffic and other impacts that don't belong here.

Please maintain our residential community and deny the rezone request.

Thank you,

Dean and Susan Brown
9847 NE 1st St, Bellevue, WA 98004 (one block from the property)
310-962-7612

From: Blenda Mariani <blenret@gmail.com>
Sent: Saturday, December 4, 2021 10:40 AM
To: Nesse, Katherine
Subject: Project #21-12065-AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Katherine Nesse

I am writing to provide input on this project in Downtown Bellevue. Living directly across from Downtown Bellevue Park, I am strongly opposed to changing the land use code from multi-family to multi-use.

Traffic on 100th Avenue is already quite heavy and noisy. Many people living in this area walk to all activities and breathe quite a bit of exhaust fumes when walking to pick up prescriptions or groceries on 8th Street NE. Please do NOT add commercial zoning to any location east of the park (100th Avenue).

Downtown residents already have easy walking access to a variety of restaurants and shops, including Bellevue Square. We definitely do not want or need additional commercial sites!

Thank you for acquiring input via Nextdoor,
Blenda Mariani

December 4, 2021

Bellevue Planning Commission
c/o Katherine Nesse, PhD
Senior Planner Comprehensive Planning
City of Bellevue

Re: Land Use Application #1020225 - 115 100th Ave NE Rezone

To Katherine Nesse and the Bellevue Planning Commission:

I am providing the following comments for your consideration in determining whether or not to advance the referenced application for a site-specific Comprehensive Plan Amendment and rezone of the property from MH-H to NMU. I have been a resident of Lochleven for 32 years and have enjoyed the many benefits and the community that this unique location provides. My comments are intended to provide you with the perspective of a long-term resident who has chosen to locate in this neighborhood because of the long-term vision for downtown and the transitional buffer zoning in place.

Comments regarding the application:

- “The current zoning is an impediment to redeveloping the site and should be revisited.”
 - The adjacent property that was the site of the old Bellevue Boys and Girls Club, also facing 100th Street, was recently very successfully redeveloped under the existing zoning as a multifamily project. Just to the north of the new Bellevue Boys and Girls Club at 371 100th Ave NE, Park West was developed in 2008 under the existing zoning. These projects are both examples that the property can successfully be redeveloped under the current zoning regulations.
- “The property is adjacent to the Downtown subarea, adjacent to the Downtown Park, along the Grand Connection and primed to provide a buffer/transition to the Downtown subarea.”
 - The current routing of the Grand Connection is from the south park entry along 102nd Ave to Old Main and west along Old Main to the future entry to Phase II of Meydenbauer Bay Park. The current route is not contiguous to the property and more appropriately directs higher volumes of pedestrians to the Old Main village where dining, shopping and services are concentrated.
 - The current zoning was enacted to provide a transition buffer for the Lochleven neighborhood from the Downtown subarea. It was put in place in the 90’s when the downtown was upzoned with a promise from the City Council that it would be maintained in perpetuity. The realization of that Downtown subarea high density zoning has been phenomenal with expansion of highly successful retail, office, and residential developments within blocks of Lochleven. The existing Lochleven zoning has been successful in buffering the neighborhood from the Downtown subarea and in maintaining diversity in the types of multifamily and single-family homes. The change to a NMU zone on the property and potential geographic expansion of the zone change is

unnecessary to develop the property and would reduce the effectiveness of the current transition buffer zoning.

Comments regarding Threshold Review Decision Criteria Response:

- Policy S-NW—6:
 - The property location and any potential geographic expansion of the zone change is already located adjacent to a true neighborhood-centric or “Village”, the Old Main area. The addition of commercial uses would be a breach of the transition buffer zoning in place, adding additional traffic, hours of operation, noise, and other incompatibility impacts.
- Policies S-NW-12 to 16:
 - Lochleven already contains community gathering spaces at the BB&G Club and its proximity to Old Main businesses, Bellevue Square, Meydenbauer Bay Park, Downtown Park and more provide ample opportunities. These policies are more appropriately applied to neighborhoods that do not already have these elements in place and not to a single lot or area that already has the abundance of these elements.

It is also worth noting that upzoning of the area between 100th and 99th and Lake Washington Blvd. and NE 1st street was considered during the master planning of the Meydenbauer Bay Park to provide for hotel and commercial uses. It was dismissed early in the park planning process due to concerns with neighborhood compatibility and determined to not be necessary to support park uses.

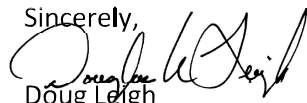
Regarding policies of the new Northwest Bellevue Subarea Plan not addressed by the applicant:

- S-NW-24:
 - The project if developed as a hotel would not address providing a variety of housing types or affordability.
- S-NW-8:
 - While the bulk and height scale may not be changed, a hotel typically has a different modulation related to the room size that is not consistent with surrounding multifamily design. Elements to support the commercial uses such as signage, lighting and covered outdoor areas, drop off and pickup drives could also conflict with existing surrounding multifamily buildings.
- S-NW-9:
 - The proposal would do nothing to support this policy and the existing zoning was put in place to support this policy in the 90's when the current upzoning of Downtown Bellevue was enacted.

Please consider these comments and others from the Lochleven neighborhood when considering this Comprehensive Plan Amendment and the potential impact of the zone change, if granted. The property is developable as is and as has been demonstrated on other similar properties without imposing a zone change on the neighborhood. I have during my 32 years in the neighborhood felt firsthand the pressures from the intensity of new development in Downtown and the increased use of the Downtown Park, Meydenbauer Bay Park and Old Main businesses. Any change to the existing Comprehensive Plan

or zoning should be weighed against the impacts to the residents and not the financial advantage that changing the zoning will provide to an individual.

Sincerely,



Doug Leigh

508 98th Ave NE

Bellevue, WA 98004

dnleigh@comcast.net



Submitted via email knesse@bellevuewa.gov

December 1, 2021

City of Bellevue Planning Commission
Katherine Nesse, PhD, Senior Planner, Comprehensive Planning
City of Bellevue
450 110th Avenue NE
Bellevue, WA 98004

Project Name: 115 100th Ave
Location: 115 100th Ave NE
File Number: 21-120635-AC
Applicant: Ben Wei, WYMOND Investment LLC

In response to this application, the Lochleven Community Association, (LCA), submits the following comments. This submission provides added context and concerns from the comments previously submitted on October 14, 2021.

As a community we strongly object to the proposal to modify the land use code for this property location as well as any parcel on the west side of 100th Ave NE, from NE 1st street to NE 8th street. As outlined in this document, (Attachment A on page 3), the proposed up-zoning conflicts with over 40% of the policies and objectives outlined in the revised draft Northwest Bellevue Comprehensive Plan, presented to city council on November 22, 2021.

If approved, this rezone will significantly impact our neighborhood and community at large, diminishing a sense of place and sense of community. The application runs counter to the city's goals of preserving, strengthening and enhancing community. The existing zoning was established as a transition envisioning current development we see today in Downtown. The proposed change would be an unnecessary intrusion of the established transition buffer.

The rezone request attempts to make the case that a commercial development in this location will support the Grand Connection envisioned to connect Downtown Bellevue to The Meydenbauer Bay Park. We believe this statement is inaccurate and non-applicable as the property does NOT run contiguous to the Grand Connection and as such would have no public benefit. On the contrary, it is expected traffic related to the development will add congestion, pedestrian safety and parking issues.

Competition for both street and other parking will create additional traffic as residents and pedestrians seek access to both the Downtown and Meydenbauer Bay parks.

This rezone would adversely impact Residential Zone Parking 9 (RPZ). RPZ 9 is designated for residential use and the proposed rezone would need to provide onsite parking for employees and customers of the proposed commercial business. In addition, it is likely the rezone would create a spill-over effect using Downtown Park parking which is frequently at capacity. Traffic related to commercial activities is very likely to be much more frequent throughout the day than residential traffic. Additionally, the traffic patterns introduced by commercial hotel and retail usage, would increase drive-through traffic potentially introducing safety issues with the Boys & Girls Club, who enjoy a shared driveway. This application is silent to any traffic or parking impact.

The applicant also points out that the property has been vacant and unused since it was destroyed by fire in 2016 and suggests that rezoning is therefore necessary for the redevelopment of the site. This is not a valid or accurate statement. More accurately as supported by public records, several issues have had a direct impact on the property being developed. These include a protracted and contested insurance settlement involving over 20 individual property owners, a wrongful death lawsuit and multiple flips of the property. The property has been purchased by an experienced developer aware of the current zoning.

In addition, it is generally recognized that such spot-zoning directly favors the financial interests of a single owner while negatively impacting the neighborhood and adjacent properties. Further we oppose the suggestion by representatives of this property to potentially amend the application to include 100th Ave NE from NE 1st Street to NE 8th Street.

While not directly related to this rezone application, it is important to note the property owner has failed to maintain the property, creating health-safety risks. Current and past owners of this property have failed to keep the property secure and allowed vegetation to obstruct the public right-of-way including encroaching into 5 feet of 99th Ave NE. After repeated calls to the city for assistance, residents of Lochleven removed the vegetation and debris including empty alcohol containers and drug paraphernalia. We are requesting the City require the owner to secure and maintain the property and proceed with the demolition ASAP to help prevent further risks to the community at large.

We look forward to working with the city preserving the character and safety of our neighborhood and not approve any re-zoning or change in permitted use of this or any other parcel in Lochleven. We are happy to meet to provide any additional context to these and other concerns.



Craig Spiezle, On Behalf of the Board of the Lochleven Community Association

Joyce Doland, Treasurer
Paresh Rajwat, Director

Mike Hatmaker, Vice President
Craig Spiezle, President

Steve McConnell, Director
Mark D. Walters, Secretary

cc: Bellevue City Council

Attachment A
Impact to Draft Comprehensive Plan for Northwest Bellevue
dated November 22, 2021

Policy S-NW-1 calls for the “protection and enhancement of existing land uses within the neighborhood” This rezone request seeks to increase the intensity of use of this property.

Policy S-NW-2 calls for transition areas when “areas adjacent to lower density areas are rezoned”. The area in question is not adjacent to, it is within a current lower density area. There is no benefit from a rezone, and no need for a transition area.

Policy S-NW-3 calls for the encouragement of preservation of, and rehabilitation of existing housing stock. This rezone request seeks to permanently diminish the potential housing stock by changing zoning from residential to commercial. Shifting from a multi-unit residential unit to mixed-use including a commercial hotel property with transient guests and employees would reduce ties to the community and neighborhood and the overall vision for Northwest Bellevue of creating a “sense of community” This request is in direct conflict with this policy and goals.

Policy S-NW-6 seeks to maintain and enhance neighborhood character. This request conflicts with the policy by introducing commercial development into a residential neighborhood.

Policy S-NW-11 calls for a seamless transition when crossing jurisdictional boundaries. This rezone request asserts that there is a benefit in the rezone. There is no jurisdictional boundary involved in this request, and no benefit from a rezone.

Policies S-NW 12 through S-NW-16 call for the creation of opportunities for NW Bellevue residents to gather informally, provide recreation opportunities, and provide public access covered spaces for community-oriented programs and services. This request asserts that the commercial facilities resulting from the rezone - most likely hotel, restaurant or retail facilities will accomplish these goals. It is highly unlikely that the spaces created will be provided and no-charge used for community use, but rather be used to serve guests and customers of the businesses occupying the development.

Policy S-NW-8 & 9 call for a “clear distinction between the scale and intensity of Downtown Bellevue and Northwest Bellevue”. 100th Avenue NE and current zoning currently provides this distinction and separation. This rezone request is to bring commercial development into a residential neighborhood and further diminishes the existing separation and buffer.

Policy S-NW-24 calls for the encouragement of a mix of housing typologies – maintaining the existing zoning supports this goal. There are few opportunities remaining within NW Bellevue to add to the stock of multifamily housing in a smaller scale building. This request removes over 20 residential units.

Policy S-NW-36. Calls for maintaining a clear distinction between arterials and neighborhood streets, discouraging commuter through-traffic from using residential streets to get to their destination. Inserting an additional commercial business would only increase and attract cut-through traffic on NE 1st Street and 99th Ave NE.

Policy S-NW-41, 42 & 43. Pursue opportunities for increasing tree canopy through planting of new trees on public and private property throughout Northwest Bellevue. This parcel has over two-dozen “protected” trees and this application is silent on the impact to the tree canopy, plants and animal habitat.

From: pat amador <patsyamador@gmail.com>
Sent: Wednesday, December 1, 2021 5:20 PM
To: Nesse, Katherine
Subject: Re: #21-120635-AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Thanks Kate for taking the time to respond. We lived in Vue Crest for some time and when Bellevue began to talk about the twenty year plan for building and going upright we couldn't believe how it would look after having such a quiet downtown. From our kitchen window, we had a straight shot down NE 8th street for the view of the Cascades. And now look at it... at that time we understood that there would be no commercial space west of 100th. The Residence Inn was already in place , but it was low slung so blended into the neighborhood. So if there is a multi use for this property, would it be in line with the Boys and Girls Club in height?

Pat

From: Faye Kraft <fayekraft@gmail.com>
Sent: Sunday, November 28, 2021 3:29 PM
To: Nesse, Katherine
Subject: 115-100th Avenue NE/Application Notice

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

I am Faye Kraft, I have been an owner at Bayside Place, 9909 NE 1st St, for the past two years, previous address was Ashley House, 200 99th Ave NE, residing there 8 years, prior to this address I lived in Enatai for 30 years. I think I am very familiar with the area, as well as, a real estate agent for 20 years serving the greater eastside. I am definitely not opposed to watching Bellevue grow to become a destination city, I am opposed to changing the zoning from R-30 to Mix Used. I watched the Chimney Condos burn some five years ago, since then I've watched this property increase in land values tremendously, and this burned out property has since become a haven for homeless persons and 4 legged creatures. Why has the city allowed this deterioration to happen all these past years?

As to the Application Notice for this property changing zoning from R30 to NMU (mixed used and retail, restaurants etc) I strongly express NO to rezone; we sit here between two parks - the overflow of traffic from both parks is directed to 99th Avenue and NE 1st Street consequently more car prowls and with more people more environmental issues. This part of NW Bellevue has the unique attribute of being walking distance to the famous Bellevue Square, the gateway to Seattle via easy access of two bridges across Lake Washington, and also allows the community to use the light rail, when completed.

Old Main Street is a treasure to behold, retail, restaurants belong to Old Main, 100th Avenue should be the red line for retail, etc. Again NO to a rezone

Respectfully submitted
Faye Kraft

From: Philip Matthews <philipmatthews@mac.com>
Sent: Tuesday, November 23, 2021 8:58 PM
To: Nesse, Katherine
Subject: Public Comment on 2022 Annual Amendments to the Bellevue Comprehensive Plan

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Re: Project 115 100th Ave. File: 21-120635-AC Proposal to rezone from Multifamily-High to Neighborhood Mixed Use.

I am a resident in Bayside Place Condominiums that is across the street from 115 100th Ave. I object to this proposal for several reasons:

1. The west side of 100th Ave is zoned MF-H. It should stay that way. I suspect that if this property is rezoned, the whole street will eventually be rezoned as mixed residential/commercial. It would end up looking like Main Street and lose its original character.
2. Rezoning to mixed use would result in a significant increase in car and pedestrian traffic, noise, increased property taxes, increased crime with car prowling, theft, and vandalism. The night time lights would disturb residents facing the street.
3. Of great concern is that the building height limitation all along 100th and Lake Washington Blvd would be rewritten to allow much taller structures like those seen on Main Street with eventual obstruction of our highly valued views of Meydenbauer Bay and Mt Rainier. My view adds tremendous value to my condo which would be lost in such a circumstance.
4. A rezoning as proposed would upset the original comprehensive development plan of the Bellevue City Council. The Council would lose its credibility as a reliable planner if it changes its plans to fit the interests of big developers.

For these reasons, I request that Bellevue reject the proposal for this rezoning of this property. Thank you.

Philip Matthews, DO

From: Craig Spiezle <craigsp@agelight.com>
Sent: Tuesday, November 23, 2021 3:53 PM
To: Nesse, Katherine
Subject: RE: City of Bellevue Notice of Application 11-18-21

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Thanks for the quick reply. This helps.

Note as you may have heard at night nights council study session DADUs and affordable housing was a big focus. I mentioned that since the rezone has the potential to reduce housing options.

From: Craig Spiezle <craigsp@agelight.com>
Sent: Tuesday, November 23, 2021 3:53 PM
To: Nesse, Katherine
Subject: RE: City of Bellevue Notice of Application 11-18-21

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Thanks for the quick reply. This helps.

Note as you may have heard at night nights council study session DADUs and affordable housing was a big focus. I mentioned that since the rezone has the potential to reduce housing options.

BAYSIDE PLACE CONDOMINIUM ASSOCIATION

Submitted via email knesse@bellevuewa.gov

October 20, 2021

Katherine Nesse, PhD
Senior Planner, Comprehensive Planning
City of Bellevue
450 110th Avenue NE
Bellevue, WA 98004

Re: Land Use Application #1020225 / Proposed 2022 Comprehensive Plan Amendment

On behalf of the Bayside Place Condominium Association, we are requesting to be classified as "parties of record" as it pertains to the application for an amendment to include an up-zone from a multifamily High R-30 to Neighborhood Mixed Use, (NMU). The proposal as written would allow the site to be redeveloped to include first floor retail and/or food service with either residential or hotel above.

Bayside Place includes 32 condominiums immediately south of the subject property. Our community is facing several threats which are diminishing the sense of community and neighborhood including but not limited to the massive development projects in the pipeline, ongoing efforts of unzoning and the increasing spill over impact of traffic and parking from downtown Bellevue.

We believe any such up-zoning is in direct conflict to the NW Bellevue Comprehensive Plan. As proposed this application risks negatively impacting the neighborhood and community at large. While we understand the application process is in the early stages, this letter serves to record of our objection to any such re-zone on this property.

Respectively,



Scott Lampe

President, Bayside Place Condominium Association
9909 NE 1st St., Apt 408
Bellevue, WA 98004
425-442-8438 Cell
scottlampe@msn.com



<https://LochlevenWA.org>

Submitted via email knesse@bellevuewa.gov

October 14, 2021

Katherine Nesse, PhD
Senior Planner, Comprehensive Planning
City of Bellevue
450 110th Avenue NE
Bellevue, WA 98004

Re: Land Use Application #1020225 / Proposed 2022 Comprehensive Plan Amendment

On behalf of the Lochleven Community Association, (LCA), we are requesting to be classified as "parties of record" as it pertains to the application for an amendment to include an up-zone from a multifamily High R-30 to Neighborhood Mixed Use, (NMU). The proposal as written would allow the site to be redeveloped to include first floor retail and/or food service with either residential or hotel above.

Lochleven includes over 500 households representing over 1,200 residents. Our community is facing several threats which are diminishing the sense of community and neighborhood including but not limited to the massive development projects in the pipeline, ongoing efforts of unzoning, loss of tree canopy and the increasing spill over impact of traffic and parking from downtown Bellevue.

We believe any such up-zoning is in direct conflict to the NW Bellevue Comprehensive Plan. As proposed this application risks negatively impacting the neighborhood and community at large. While we understand the application process is in the early stages, this letter serves to record our objection to any such re-zone on this property and/or any property on 100th Ave NE.

Respectively,

A handwritten signature in black ink that reads "Craig D. Spiegle". The signature is written in a cursive, flowing style.

Craig Spiegle
President, Lochleven Community Association
craigsp@agelight.com